

A Parent's Guide to the Independent Educational Evaluation Process

As the parent(s) or legal guardian(s) of a student with a disability you have a right to an Independent Educational Evaluation (IEE) at public expense if you disagree with the results of the evaluation conducted by the district. To help you better understand the IEE process conducted at public expense, the Houston ISD provides clarification about:

- The IEE process
- Consideration of the IEE results
- Who pays for the IEE
- Access to the student's private or public health benefits
- Consideration of exceptional circumstances

The IEE Process

- If you request an IEE of your child, federal law requires that the district respond by either agreeing to provide the IEE or by initiating a due process hearing to show that the district's evaluation is appropriate.
- The independent evaluator conducting the IEE must be certified or licensed by an accredited professional organization or agency that is recognized within the State of Texas representing his or her profession.
- The independent evaluator must meet the district's minimum qualifications for district personnel who perform the same type of evaluation. If the independent evaluator wishes to use additional persons to perform the IEE, each one of those persons must meet the district's criteria for performing his or her part of the IEE. The independent evaluator will provide the district with the credentials and qualifications of each person who may administer a portion of the IEE.
- The independent evaluator must be located within the district's geographical area and within a 25-mile radius of the district administration building.
- You must give written consent for the release and exchange of information between the district and independent evaluator, including the release to the district of the evaluation report, all protocols, and results of all assessment data collected by the independent evaluator.

Consideration of the IEE Results

- A complete and final copy of the IEE report must be provided to you and to the district five business days before the ARD/IEP Committee meeting for review and consideration.
- The ARD/IEP Committee will consider the findings and recommendations provided by an IEE that is conducted according to the district's minimum requirements.

- If the report is presented to the district for the first time at an ARD/IEP Committee meeting, the ARD/IEP Committee may table the meeting and resume at a later time to give everyone sufficient time to review the report.

Who Pays for the IEE

- The district pays for the IEE at no cost to the parent. The IEE provider must use the same criteria as that which the district uses when conducting an evaluation, and must include information such as the areas to be evaluated, where the evaluation will occur, the nature and scope of the observations, who will accompany the evaluator during the evaluation, and ensuring the privacy interest of other students.
- The district will pay the going rate for the Greater Houston area as established in the Medicaid/Medicare Service Provider Manual for the specific evaluation being considered.
- If the independent evaluator has a sliding scale fee based on your income or a reduced rate for privately funded evaluations, the district will typically pay the amount normally charged to you.

Access to the Student's Private or Public Health Benefits

- When available, the district would like to get consent to access your private or public health insurance to help cover the cost of the IEE. However, if you refuse to provide consent, you still have a right to an IEE at public expense.
- If you consent for the district to access your private insurance benefits, the district will pick-up costs not covered by your insurance provider (e.g., deductibles, co-pays), so that there will be no out-of-pocket costs to you.

Consideration of exceptional circumstances

- The district's IEE criteria may be waived or modified in special circumstances where unique diagnostic expertise or exceptional circumstances warrant, provided that you can demonstrate the necessity of using an evaluator outside the district's IEE criteria.
- You may submit a request to consider exceptional circumstances to grant this IEE to the Assistant Superintendent, Office of Special Education Services at 4400 West 18th Street, Houston, TX 77092-8501.
- If the district denies your request for a particular IEE provider that does not meet the district's criteria this does not constitute a denial of your request for an IEE. You are free to pursue the IEE, however, another provider that meets the requisite criteria must be utilized in order for HISD to pay for the IEE.
- If you obtain the IEE anyway and request reimbursement, or the district denies reimbursement for an evaluation you initiated because it does not meet the district's criteria, federal law requires that the district must initiate a due-process hearing to

demonstrate the appropriateness of the district's evaluation and that the IEE should be denied.

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